IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

WP(C).No. 23845 of 2007(L)

PETITIONER:

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1. SATHYADEVAN,
   VALIYATH, PONAKAM, MAVELIKKARA.

2. PADMAKUMARI, W/O. SATHYADEVAN,
   VALIYATH, PONAKOM, MAVELIKKARA.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
   REPRESENTED BY ITS SECRETARY, VIDHUTHA BHAVAN,
   THIRUVANANTHAPURAM.

2. ADDITIONAL DISTRICT MAGISTRATE,
   ALAPPUZHA.

3. ASSISTANT EXECUTIVE ENGINEER,
   ELECTRICAL SUB DIVISION, KSEB, CHARUMOOD.

4. SMT. REMA,
   KOCHUTHARAYIL, VEDARAPLAVU, THAMARAKULAM,
   MAVELIKKARA.

5. SRI. RAGHAVAN,
   PAKKUKANDATHIL, VEDARAPLAVU, THAMARAKULAM,
   MAVELIKKARA.

BY ADV. SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 23845 of 2007

Dated, this the 20th day of September, 2007

J U D G M E N T

Heard learned counsel for the petitioners and learned Standing Counsel for KSEB. The line objected by the petitioners is passing over the boundary of property of petitioners and another person. This is obviously the least inconvenient route. Petitioners' request for conversion of the same to weather proof cable is not possible because the length of overhead line itself is 45 meters and besides this another 30 meters weather proof cable is required for giving connection to the beneficiary. In the circumstances, there is no scope for shifting the line from the route approved by the ADM. However, if petitioner bears the cost and if it is technically feasible, there will be direction to the 3rd respondent to lay underground cable through petitioners' property and give connection to the beneficiary.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg